



Order Filed on June 19, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

**Robertson, Anschutz, Schneid, Crane & Partners,
PLLC**

Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886

Harold Kaplan (HK0226)

In Re:

Donna Bello,

Debtor,

Case No.: 17-20067-MBK

Chapter: 13

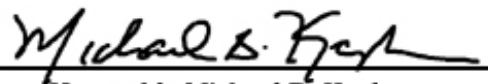
Hearing Date: June 9, 2021

Judge: Michael B. Kaplan

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: June 19, 2021


Honorable Michael B. Kaplan
United States Bankruptcy Judge

Secured Creditor: U.S. Bank National Association, not in its individual capacity but solely as Trustee of NRZ Inventory Trust

Debtors' Counsel: Candyce Ilene Smith-Sklar, Esq.

Relief sought:

- ☒ Motion for relief from the automatic stay
- ☐ Motion to dismiss
- ☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

1. Status of post-petition arrearages:

- The Debtor is overdue for 12 months from June 1, 2020 through May 1, 2021.
- The Debtor is overdue for 3 payments from June 1, 2020 at \$719.99 per month.
- The Debtor is overdue for 1 payment from September 1, 2020 at \$735.89 per month.
- The Debtor is overdue for 8 payments from October 1, 2020 at \$763.34 per month.

Funds Held In Suspense \$307.61.

Total Arrearages Due \$8,694.97.

2. Debtor must cure all post-petition arrearages, as follows:

- Immediate payment shall be made in the amount of \$2,500.00. Payment shall be made within 10 days of entry of this Order.

- Beginning on June 1, 2021, regular monthly mortgage payments shall continue to be made in the amount of \$763.34.

- The remaining balance in the amount of \$6,194.97 shall be capitalized in the Debtor's Chapter 13 plan and paid to Secured Creditor by the Chapter 13 Trustee in addition to the amount set forth on Secured Creditor's timely filed Proof of Claim. Debtor must file an Amended Plan, and Schedules I and J within fifteen (15) days of the entry of this Order. The Debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the plan in accordance with this order.

3. Payments to the Secured Creditor shall be made to the following address(es):

- Immediate cure payment: NewRez LLC dba Shellpoint Mortgage Servicing
P.O. Box 740039
Cincinnati, Ohio 45274-0039
- Regular monthly payment: NewRez LLC dba Shellpoint Mortgage Servicing
P.O. Box 740039
Cincinnati, Ohio 45274-0039

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment or Trustee payments should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$350.00 and costs of \$188.00.

The fees and costs are payable:

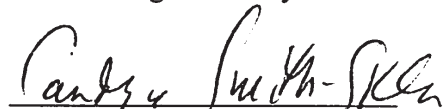
- Through the Chapter 13 plan.

☐ To the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

6. In the event Secured creditor has not filed a timely Proof of Claim, Debtor consents to the filing and payment by the Chapter 13 Trustee of any late filed Proof of Claim, subject to the right of the Debtor to file an objection as to the amount.

The undersigned hereby consent to the form and entry of the foregoing order.


Candyce Ilene Smith-Sklar, Esq.
Attorney for Debtor(s)
Date:

/s/Harold Kaplan

Harold Kaplan, Esq.
Attorney for Secured Creditor
Date: 6/9/2021

In re:
Donna Bello
Debtor

Case No. 17-20067-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jun 21, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 23, 2021:

Recip ID	Recipient Name and Address
db	+ Donna Bello, 17 Remsen St, Trenton, NJ 08610-6434

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 23, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 21, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo	docs@russotrustee.com
Candcyce Ilene Smith-Sklar	on behalf of Debtor Donna Bello mail@njpalaw.com r56958@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor The Bank of New York Mellon Trust Company National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, as Trustee for Residential Asset Securities Corporatio dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Harold N. Kaplan	on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION hkaplan@rasnj.com informationathnk@aol.com
Harold N. Kaplan	

District/off: 0312-3

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Page 2 of 2

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on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely as Trustee of NRZ Inventory Trust,
hkaplan@rasnj.com, informationathnk@aol.com

Sindi Mncina

on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8